

Appl. No. 09/994,443  
Amdt. dated 10/03/2005  
Reply to the Office Action of 08/09/2005

### **REMARKS**

Reexamination and reconsideration of this application is requested. By this Response with Amendment, Claims 4, 12, and 19, were canceled without prejudice, and Claims 1, 6, 8, 16, and 22, were amended. After this Response with Amendment, Claims 1-3, 5-11, 13-18, and 20-22 remain pending in this application. Claims 1-3, 5-11, 13-18, and 20-22, were amended to immediately place the application in condition for allowance. Claim 6 was amended only to correct a minor typo. No new matter was added. Applicants submit that the present Response with Amendment places the present application in condition for allowance. Entry of the present Response with amendment and allowance of the present claims is respectfully requested.

### **Allowable Subject Matter**

(1) The Applicants acknowledge, and wish to thank the Examiner for, the allowance of Claims 7 and 14.

(2) 101 Rejection of Claims 16-22. Claim 16 and 22 were amended to add in the preamble that the claimed invention is in a tangibly embodied computer readable medium. Applicants believe that this removes the 101 Rejection from all of the Claims 16-22. It is believed that this also places independent Claim 22 in allowable form.

(3) With respect to Claims 1-6, 8-13, and 15-21. Applicants have canceled dependent Claims 4, 12, and 19, all having similar claim language, and have added this language to the independent Claims 1, 8, and 16, respectively. The Office Action, page 8, indicated with respect to Claims 4 and 12 that this language was objected to but would be allowable. Specifically, the Claims 1-3, 5-6, 8-11, 13, 15-18, and 20-21 now recite that the additional non-pageable pinned kernel memory block has a predetermined size. Applicants therefore believe that all of these claims 1-3, 5-6, 8-11, 13, 15-18, and 20-21, now recite in allowable form, and kindly request that the Examiner promptly allow these

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claims.

Accordingly, in view of the amendments and remarks above, Applicants believe that all the rejections of Claims 1-22 have been overcome. Applicants kindly request that the Examiner withdraw the rejections of these claims and promptly allow this patent application to issue.

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### Conclusion

The foregoing is submitted as full and complete response to the Official Action mailed August 9, 2005, and it is submitted that pending Claims 1-3, 5-11, 13-18, and 20-22 are in condition for allowance. Reconsideration of the rejections is requested. Allowance of Claims 1-3, 5-11, 13-18, and 20-22 is earnestly solicited.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. No amendment made was for the purpose of narrowing the scope of any claim, unless Applicants have argued herein that such amendment was made to distinguish over a particular reference or combination of references.

Applicants acknowledge the continuing duty of candor and good faith to disclose information known to be material to the examination of this application. In accordance with 37 CFR § 1.56, all such information is dutifully made of record. The foreseeable equivalents of any territory surrendered by amendment are limited to the territory taught by the information of record. No other territory afforded by the doctrine of equivalents is knowingly surrendered and everything else is unforeseeable at the time of this amendment by the Applicants and the attorneys.

The present application, after entry of this amendment, comprises nineteen (19) claims, including six (6) independent claims. Applicants have previously paid for twenty (22) claims including six (6) independent claims. Applicants, therefore, believe that an additional fee for claims amendment is currently not due.

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If the Examiner believes that there are any informalities that can be corrected by Examiner's amendment, or that in any way it would help expedite the prosecution of the patent application, a telephone call to the undersigned at (561) 989-9811 is respectfully solicited.

The Commissioner is hereby authorized to charge any fees that may be required or credit any overpayment to Deposit Account 50-1556.

In view of the preceding discussion, it is submitted that the claims are in condition for allowance. Reconsideration and re-examination is requested.

Respectfully submitted,

Date: October 3, 2005

By: \_\_\_\_\_



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